
THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH

STEPHEN PLATO MCRAE,
Plaintiff,
v.
SGT. FIELDING et al.,
Defendants.

**MEMORANDUM DECISION
& ORDER AFTER TENTH
CIRCUIT'S REMAND OPINION**

Case No. 2:17-CV-66 RJS

Chief District Judge Robert J. Shelby

The Tenth Circuit Court of Appeals vacated this Court's order denying Plaintiff's motion for relief from judgment and remanded for further consideration of the motion. (ECF Nos. 46, 47, 49, 56.) In view of that ruling,

IT IS ORDERED that:

- (1) Plaintiff's post-judgment motion is **GRANTED**, (ECF No. 49). The dismissal order and judgment are therefore **VACATED**. (ECF Nos. 46, 47.)
- (2) Within thirty days, Plaintiff must file a third amended complaint curing the deficiencies recited in the Court's order of November 13, 2019, (ECF No. 44), or risk dismissal of this action.

(3) When sending this Order to Plaintiff, the Clerk of Court shall attach a copy of the November 13, 2019 Order, (*id.*), and a pro-se-litigation packet containing a blank federal civil-rights complaint.

DATED this 3rd day of January, 2022.

BY THE COURT:



CHIEF JUDGE ROBERT J. SHELBY
United States District Court